

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL MONTGOMERY,

Plaintiff,

-against-

PORT AUTHORITY TRANS-HUDSON,  
CORP.

Defendant.

-----X  
TO: Marc T. Wietzke, Esq.  
Flynn & Wietzke, PC  
1205 Franklin Avenue, Suite 370  
Garden City, New York 11530

Index No.: 1:20-cv-02311

**NOTICE OF MOTION IN  
LIMINE**

USDC SDNY  
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PLEASE TAKE NOTICE that Port Authority Law Department, Attorney of Record for Port Authority Trans-Hudson Corporation, appearing by Nicholas Mino Esq., will move in limine, on November 3, 2022, before the Honorable Colleen McMahon, United States District Judge, at the U.S. Courthouse, 500 Pearl Street, Room 24A, New York, New York 10007, for an order granting the defendant the right to set off the money it paid plaintiff on account of his injury on duty and for the amount paid in medical expenses regardless of the percentage of comparative negligence attributed to PATH. In support of this motion, Port Authority Trans-Hudson Corporation relies on the Declaration of Nicholas Mino and its supporting memorandum, submitted herewith.

Dated: May 9, 2022  
New York, New York

Respectfully submitted,

Nicholas Mino

Nicholas Mino, Esq.  
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Four World Trade Center  
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New York, New York 10007  
Tel.: (212) 435-3669  
Attorneys for Port Authority Trans-  
Hudson Corporation

9/26/2022  
I agree with  
plaintiff. Defendant is  
not to set-off but as the  
jury must be apprised of  
the amount of medical  
expenses to be set off  
on defendant's  
statement of  
medical  
expenses.  
Defendant  
should deal with me about it  
proper. Clerk &  
clerk note  
✓